



General Assembly

***Amendment***

*February Session, 2010*

LCO No. 4217

**\*SB0028804217SR0\***

Offered by:

SEN. MCKINNEY, 28<sup>th</sup> Dist.

SEN. FASANO, 34<sup>th</sup> Dist.

SEN. RORABACK, 30<sup>th</sup> Dist.

To: Senate Bill No. 288

File No. 91

Cal. No. 89

***"AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL CORRECTIONS TO THE GENERAL GOVERNMENT ADMINISTRATION AND ELECTIONS STATUTES."***

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1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 20-280 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective July 1, 2010*):

5 (a) There shall be a State Board of Accountancy which shall consist  
6 of nine members, to be appointed by the Governor, all of whom shall  
7 be residents of this state, five of whom shall hold current, valid  
8 licenses to practice public accountancy and four of whom shall be  
9 public members. Any persons serving on the board prior to October 1,  
10 1992, shall continue to serve until a successor is appointed. Whenever  
11 an appointment of a licensee to the state board is to be made, the

12 Connecticut Society of Certified Public Accountants shall submit to the  
13 Governor the names of five persons qualified for membership on the  
14 board and the Governor shall appoint one of such persons to said  
15 board, subject to the provisions of section 4-10. The Governor shall  
16 select a chairperson pursuant to section 4-9a. The term of each member  
17 of the board shall be coterminous with that of the Governor. Vacancies  
18 occurring during a term shall be filled by appointment by the  
19 Governor for the unexpired portion of the term. Upon the expiration of  
20 a member's term of office, such member shall continue to serve until  
21 his successor has been appointed. Any member of the board whose  
22 license under section 20-281d is revoked or suspended shall  
23 automatically cease to be a member of the board. No person who has  
24 served two successive complete terms shall be eligible for  
25 reappointment to the board. Appointment to fill an unexpired term  
26 shall not be considered to be a complete term. Any member who,  
27 without just cause, fails to attend fifty per cent of all meetings held  
28 during any calendar year shall not be eligible for reappointment.

29 (b) The board shall meet at such times and places as may be fixed by  
30 the board and shall meet at least once in every quarter of a calendar  
31 year. A majority of the board members then serving shall constitute a  
32 quorum at any meeting duly called. The board shall have a seal which  
33 shall be judicially noticed. The board shall maintain a registry of the  
34 names and addresses of all licensees and registrants under sections 20-  
35 279b to 20-281m, inclusive, and shall have responsibility for the  
36 administration and enforcement of said sections.

37 (c) Each member of the board shall be reimbursed for his actual and  
38 necessary expenses incurred in the discharge of his official duties.

39 (d) The board shall annually cause to be printed a directory which  
40 shall contain the names, arranged alphabetically, of all licensees and  
41 registrants under sections 20-279b to 20-281m, inclusive.

42 (e) The board [, subject to the provisions of chapter 67, may employ  
43 an executive director and such other personnel as may be necessary to

44 carry out the provisions of sections 20-279b to 20-281m, inclusive. The  
45 board may enter into such contractual agreements as may be necessary  
46 for the discharge of its duties, within the limit of its appropriated  
47 funds and in accordance with established procedures, as it deems  
48 necessary in its administration and enforcement of said sections. It  
49 may appoint committees or persons to advise or assist the board in  
50 such administration and enforcement as it may see fit] shall be within  
51 the Department of Consumer Protection. Said department shall  
52 provide staff support for the board.

53 (f) The board shall have the power to take all action that is necessary  
54 and proper to effectuate the purposes of sections 20-279b to 20-281m,  
55 inclusive, including the power to issue subpoenas to compel the  
56 attendance of witnesses and the production of documents; to  
57 administer oaths; to take testimony and to receive evidence concerning  
58 all matters within its jurisdiction. In case of disobedience of a  
59 subpoena, the board may invoke the aid of any court of this state in  
60 requiring the attendance and testimony of witnesses and the  
61 production of documentary evidence. The board, its members, and its  
62 agents shall be immune from personal liability for actions taken in  
63 good faith in the discharge of the board's responsibilities, and the state  
64 shall indemnify and hold harmless the board, its members, and its  
65 agents from all costs, damages, and attorneys' fees arising from claims  
66 and suits against them with respect to matters to which such immunity  
67 applies.

68 (g) The board may adopt rules, in accordance with chapter 54,  
69 governing its administration and enforcement of sections 20-279b to  
70 20-281m, inclusive, and the conduct of licensees and registrants,  
71 including, but not limited to:

72 (1) Regulations governing the board's meetings and the conduct of  
73 its business;

74 (2) Regulations concerning procedures governing the conduct of  
75 investigations and hearings by the board;

76 (3) Regulations specifying the educational qualifications required  
77 for the issuance of certificates under section 20-281c, the experience  
78 required for initial issuance of certificates under section 20-281c and  
79 the continuing professional education required for renewal of licenses  
80 under subsection (e) of section 20-281d;

81 (4) Regulations concerning professional conduct directed to  
82 controlling the quality and probity of the practice of public  
83 accountancy by licensees, and dealing among other things with  
84 independence, integrity, objectivity, competence, technical standards,  
85 responsibilities to the public and responsibilities to clients;

86 (5) Regulations specifying actions and circumstances that shall be  
87 deemed to constitute holding oneself out as a licensee in connection  
88 with the practice of public accountancy;

89 (6) Regulations governing the manner and circumstances of use by  
90 holders of certificates who do not also hold licenses under sections 20-  
91 279b to 20-281m, inclusive, of the titles "certified public accountant"  
92 and "CPA";

93 (7) Regulations regarding quality reviews that may be required to  
94 be performed under the provisions of sections 20-279b to 20-281m,  
95 inclusive;

96 (8) Regulations implementing the provisions of section 20-281l,  
97 including, but not limited to, specifying the terms of any disclosure  
98 required by subsection (d) of said section 20-281l, the manner in which  
99 such disclosure is made and any other requirements the board imposes  
100 with regard to such disclosure. Such regulations shall require that any  
101 disclosure: (A) Be in writing and signed by the recipient of the product  
102 or service; (B) be clear and conspicuous; (C) state the amount of the  
103 commission or the basis on which the commission will be calculated;  
104 (D) identify the source of the payment of the commission and the  
105 relationship between such source and the person receiving payment;  
106 and (E) be presented to the client at or prior to the time the  
107 recommendation of the product or service is made;

108       (9) Regulations establishing the due date for any fee charged  
109       pursuant to sections 20-281c, 20-281d and 20-281e. Such regulations  
110       may establish the amount and due date of a late fee charged for the  
111       failure to remit payment of any fee charged pursuant to sections 20-  
112       281c, 20-281d and 20-281e; and

113       (10) Such other regulations as the board may deem necessary or  
114       appropriate for implementing the provisions and the purposes of  
115       sections 20-279b to 20-281m, inclusive."